

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

TRADE AND COMMERCE BANK (IN
LIQUIDATION)

Debtor,
-----X

RICHARD FOGERTY, as Joint Official Liquidator of
Trade and Commerce Bank

Plaintiff,

-against-

Kesten Development Corp.

Defendant.
-----X

Chapter 15
Case No. 05-60279 (SMB)

Adv. Pro. No. 10-03611 (SMB)

DECLARATION OF SINEAD FINOLA HARRIS


I, Sinead Finola Harris, declare that service of the attached document, being a Certificate of Default, was made on October 20, 2010 by personal service by leaving the process with the Defendant, Kesten Development Corp., care of Sucre & Sucre Trust limited, 2nd Floor, Chera Chambers, Main Street Road Town, Tortola, British Virgin Islands.

Accompanying this Declaration is a true and correct copy of the covering letter that accompanied service of the above document, signed and receipted by an employee of Sucre & Sucre Trust Limited.

I further declare that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made.

Under penalty of perjury under the laws of the United States of America, I declare that the foregoing is true and correct.

Dated: October 20, 2010.



Sinead Finola Harris

Business Address:

Forbes Hare
Palm Grove House
PO Box 4649,
Road Town, Tortola,
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Ref: 2010-4321-001/WRH/DW/RN/SH

Kesten Development Corporation
Care of Sucre & Sucre Trust Limited
P.O. Box 3163
Chera Chambers, Main Street
Road Town, Tortola
British Virgin Islands

Served On:	SUCRE+SUCRE
Served By:	C. HARRIS
Date Served:	20/10/10
Time Served:	2.33pm
Received By:	[Signature]

20 October 2010

Dear Sirs

United States Bankruptcy Court Southern District of New York Bankruptcy Case No. 05-60279 (SMB) Richard Fogerty, As Joint Official Liquidator of Trade and Commerce Bank v. Kesten Development Corp.

Please find enclosed, by way of service, a Certificate of Default dated 19 October 2010 in respect of the above matter.

Yours faithfully



Forbes Hare

United States Bankruptcy Court

Southern District of New York

-----X

In re :

Trade and Commerce Bank (in Liquidation)

Bankruptcy Case No.
05-60279 (SMB)

Debtor

-----X

Richard Fogerty, As Joint Official
Liquidator of Trade and Commerce Bank

Plaintiff

v.

Adversary Proceeding No.
10-3611 (SMB)

Kesten Development Corp.

Defendant

-----X

ENTRY OF DEFAULT

It appears from the record that the following defendant failed to plead or otherwise defend in this case as required by law.

KESTEN DEVELOPMENT CORP.

Therefore, default is entered against the defendant as authorized by Bankruptcy Rule 7055.

Vito Genna
Clerk of the Bankruptcy Court

October 19, 2010
Date

By: /s/ Anatin Rouzeau
Deputy Clerk